



5420 Sunset Project

Environmental Case: ENV-2017-1084-EIR
State Clearinghouse No. 2017061075

Project Location: 5420–5450 West Sunset Boulevard, 1418–1440 North Western Avenue, and 1441 North Serrano Avenue, Los Angeles, California 90027

Community Plan Area: Hollywood Community Plan, Vermont/Western Station Neighborhood Area Specific Plan

Council District: 13 - O'Farrell

Project Description: The Project proposes 735 multi-family residential units and up to 95,000 square feet of neighborhood-serving commercial uses, including market/retail and restaurant uses. The proposed uses would be provided within four buildings that would be up to six stories with a maximum height of 75 feet, with one at-grade and two subterranean parking levels. The Project would demolish 100,796 square feet of existing floor area and construct up to 882,246 square feet of new floor area, with a Floor Area Ratio (FAR) of 3:1.

PREPARED FOR:

The City of Los Angeles
Department of City Planning

PREPARED BY:

Eyestone Environmental, LLC

APPLICANT:

5420 Sunset Boulevard LP, LLC

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1. INTRODUCTION

This Erratum includes clarifications and minor modifications to the Environmental Impact Report (EIR) for the 5420 Sunset (Project). These modifications clarify and refine the EIR and provide supplemental information to the City decision-makers and the public. CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code (PRC) Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. CEQA Guidelines Section 15088.5 specifically states:

New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

- *A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.*
- *A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.*
- *A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.*
- *The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.*

CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR [...] A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.”

2. TECHNICAL CORRECTIONS AND CLARIFICATIONS

2.1 Revisions Based Upon CREED LA Appeal

On October 11, 2022, an appeal of the 5420 Sunset Project was filed by Adams Broadwell, Joseph & Cardozo on behalf of the Coalition for Responsible Equitable Economic Development Los Angeles (CREED LA). A separate response to the comments made in the appeal justification has been prepared.

The purpose of this Erratum is to correct errors noted by the commenter and to revise Mitigation Measure AIR-MM-1 with additional commitments from the applicant. The following provides minor revisions to the EIR. Revisions to the EIR are presented below with deletions presented as ~~striketrough~~ and additional language presented in underline.

I. Final EIR - Mitigation Monitoring Program

Section IV, Mitigation Monitoring Program, page IV-4, revise Mitigation Measure AIR-MM-1 as follows:

Mitigation Measure AIR-MM-1: All off-road diesel-powered equipment ~~greater than 50 hp~~ used during Project ~~grading/excavation-construction~~ activities shall meet United States Environmental Protection Agency (USEPA) Tier 4 Final emissions standards. A copy of each such unit's certified tier specification, Best Available Control Technology (BACT) documentation, and California Air Resources Board (CARB) or South Coast Air Quality Management District (SCAQMD) operating permit shall be provided on-site at the time of mobilization of each applicable unit of equipment to allow the Construction Monitor to compare the on-site equipment with the inventory and certified Tier specification and operating permit.

III. Draft EIR - Noise

Section IV.F, Noise, page IV.F-27, replace Table IV.F-11 with Revised Table IV.F-11 on page 3 of this Erratum.

**Revised Table IV.F-11
Construction Noise Impacts**

Off-Site Receptor Location	Approximate Distance from Receptor to Project Construction Area (feet)	Estimated Construction Noise Levels by Construction Phases (L _{eq} (dBA))						Existing Daytime Ambient Noise Levels (L _{eq} (dBA))	Significance Criteria (L _{eq} (dBA)) ^a	Maximum Noise Exceedance Above the Criteria (L _{eq} (dBA))	Sig. Impact?
		Demolition	Grading	Mat Foundation	Building Construction	Finishing	Paving				
R1	60	83.2	80.3	79.7	83.1	76.4	77.5	59.6	64.6	18.6	Yes
R2	270	71.7	70.2	69.8	71.7	65.4	66.8	56.1	61.1	10.6	Yes
R3	100	79.8	77.7	77.0	79.5	73.1	74.7	67.8	72.8	7.0	Yes
R4	620	64.9	63.7	63.5	65.0	58.7	59.9	63.2	68.2	0.0	No
R5	145	71.8	70.0	69.5	71.6	65.3	66.8	61.9	66.9	4.9	Yes

^a Significance criteria are equivalent to the measured daytime ambient noise levels (see Table IV.F-7 on page IV.F-15) plus 5 dBA, per the L.A. CEQA Thresholds Guide for construction activities lasting longer than 10 days in a three-month period. If the estimated construction noise levels exceed those significance criteria, a construction-related noise impact is identified.

Source: AES, 2022. See Revised Appendix H of this Draft EIR.

Section IV.F, Noise, page IV.F-28, revise the fifth sentence of the first full paragraph as follows:

The estimated construction-related noise would exceed the significance threshold from ~~4.6~~4.9 dBA at receptor R5 to ~~18.5~~18.6 dBA at receptor R1, without implementation of mitigation.

Section IV.F, Noise, page IV.F-28, revise the last paragraph beginning on the page as follows:

Based on the anticipated time frame for construction activity provided within the analysis for the Project, the peak period of construction with the highest number of construction trucks would occur during the mat foundation phase. During this phase, there would be a maximum of ~~200~~350 construction trucks (~~200~~350 concrete trucks) coming to and leaving the Project Site (equal to ~~400~~700 total trips) per day. In addition, there would be a total of 40 worker trips to and from the Project Site on a daily basis during the mat foundation phase. There would also be construction haul/delivery truck trips (up to ~~228~~360 truck trips per day) during other construction phases of the Project, but such trips would be less than the ~~400~~700 truck trips under the mat foundation phase.

Section IV.F, Noise, page IV.F-29, revise the third sentence of the first full paragraph as follows:

The Project-related construction traffic would result in a maximum ~~2.9~~3.2 dBA increase along Western Avenue and ~~3.6~~4.0 dBA increase along Lexington Avenue over the existing ambient, which would be below significance criteria of 5-dBA above ambient noise level (based on the measured ambient at R3).

Section IV.F, Noise page IV.F-30, replace Table IV.F-12 with Revised Table IV.F-12 on page 5 of this Erratum.

**Revised Table IV.F-12
Off-Site Construction Haul Truck Noise Levels**

Construction Phase	Estimated Number of Construction Truck/Worker Trips per Day	Estimated Number of Construction Truck/Worker Trips per Hour ^a	Estimated Haul Truck Noise Levels Along the Project Haul Routes (Leq (dBA)) (Project/Project + Ambient)	
			Western Avenue	Lexington Avenue
Demolition	50/100	7/40	60.0/68.5	61.0/67.5
Grading	360/64	60/25	68.2/71.0	68.1/70.3
Mat Foundation	700/100	59/40	68.2/71.0	68.2/70.4
Building Construction	110/100	14/40	62.5/68.9	62.8/68.0
Building Construction (Finishing)	40/1000	5/400	64.7/69.5	67.1/69.8
Paving	8/20	1/8	52.0/67.9	54.7/66.7
Existing Ambient Noise Levels Along the Project Haul Routes, Leq (dBA) ^b			67.8	66.4
Significance Criteria, Leq (dBA) ^c			72.8	71.4
Maximum Exceedance Over Significance Criteria, Leq (dBA)			0.0	0.0
Significant Impact?			No	No

^a For construction trucks, the number of hourly trips is based on an hourly average, assuming a uniform distribution of trips over an 8-hour work day. Haul truck hourly trips are conservatively distributed over a 6-hour hauling day. Concrete trucks during the Mat Foundation phase are distributed over a 12-hour work day. Truck trips for Lexington Avenue equal to one-half of the truck trips shown, as Lexington Avenue is only used for trucks coming to the Project Site. For worker vehicles, the number of hourly trips is based on 40 percent of the worker trips that would arrive in one hour to represent a conservative analysis.

^b Ambient noise levels along the haul routes (Western Avenue) are based on measurements at nearby receptor locations (i.e., receptors R3 along Sunset Boulevard). Ambient along Lexington Avenue is estimated based on existing traffic volumes.

^c Significance criteria are equivalent to the measured daytime ambient noise levels plus 5 dBA.

Source: AES, 2022. See Revised Appendix H of this Draft EIR.

Section IV.F, Noise, page IV.F-43, revise the first full paragraph as follows:

Implementation of Mitigation Measure NOI-MM-1 provided above would reduce the Project’s construction noise levels to the extent feasible. As indicated in Revised Table IV.F-21 on page IV-F-44 7 of Erratum No. 1 to the FEIR, implementation of Mitigation Measure NOI-MM-1 (installation of temporary sound barrier) would reduce the noise generated by on-site construction activities at the off-site sensitive uses, by a minimum 15 dBA at the residential use on Serrano Avenue east of the Project Site (receptor location R1), by a minimum 11 dBA at the residential use on Serrano Avenue north of the Project Site (receptor location R2), 7-8 dBA at the hotel use on Sunset Boulevard north of the

Project Site (receptor location R3), and 5 dBA at the residential use on Fernwood Avenue south of the Project Site (receptor location R5).³² The estimated construction-related noise levels at all off-site sensitive receptor locations would be reduced to below a level of significance with implementation of Mitigation Measure NOI-MM-1, with the exception of receptor location R1. With the implementation of Mitigation Measure NOI MM-1, the construction-related noise at receptor location R1 would still exceed the significance threshold by ~~3.3~~3.6 dBA. The noise impacts at location R1 would be temporary when construction equipment are operating adjacent to the receptor location. However, there are no other feasible mitigation measures to further reduce the construction noise at location R1 to below the significance threshold. **Therefore, construction noise impacts associated with on-site noise sources would remain significant and unavoidable.**

Section IV.F, Noise, page IV.F-44, replace Table IV.F-21 with Revised Table IV.F-21 on page 7 of this Erratum.

**Revised Table IV.F-21
Construction Noise Impacts—With Mitigation**

Off-Site Receptor Location	Noise Reduction Provided by Mitigation Measures, dBA	Estimated Construction Noise Levels by Construction Phases (L _{eq} (dBA))						Existing Daytime Ambient Noise Levels (L _{eq} (dBA))	Significance Criteria (L _{eq} (dBA)) ^a	Maximum Noise Exceedance Above the Criteria after Mitigation (L _{eq} (dBA))	Sig. Impact after Mitigation?
		Demolition	Grading	Mat Foundation	Building Construction	Finishing	Paving				
R1	15	68.2	65.3	64.7	68.1	61.4	62.5	59.6	64.6	3.6	Yes
R2	11	60.7	59.2	58.8	60.7	54.4	55.8	56.1	61.1	0.0	No
R3	8	71.8	69.7	69.0	71.5	65.1	66.7	67.8	72.8	0.0	No
R4	0	64.9	63.7	63.5	65.0	58.7	59.9	63.2	68.2	0.0	No
R5	5	66.8	65.0	64.5	66.6	60.3	61.8	61.9	66.9	0.0	No

^a Significance criteria are equivalent to the measured daytime ambient noise levels (see Table IV.F-7 on page IV.F-15) plus 5 dBA, per the L.A. CEQA Thresholds Guide for construction activities lasting longer than 10 days in a three-month period. If the estimated construction noise levels exceed those significance criteria, a construction-related noise impact is identified.

Source: AES, 2022. See Revised Appendix H of this Draft EIR.

IV. Draft EIR - Other CEQA Considerations

Section VI, Other CEQA Considerations, page VI-1, revise the last full paragraph as follows:

As discussed in Section IV.F, Noise, of this Draft EIR and shown in Revised Table IV.F-11 of Erratum No. 1 to the FEIR, the estimated construction noise levels would exceed the significance thresholds by ~~18.5~~18.6 dBA at receptor R1, ~~10.3~~10.6 dBA at receptor R2, ~~6.7~~7.0 dBA at receptor R3, and ~~4.6~~4.9 dBA at receptor R5. Mitigation measure NOI-MM-1 would be implemented to reduce on-site construction noise impacts by a minimum of 15 dBA at receptor R1, 11 dBA at receptor R2, ~~7~~8 dBA at receptor R3, and 5 dBA at receptor R5. The estimated construction-related noise levels at all off-site sensitive receptor locations would be reduced to below a level of significance with implementation of Mitigation Measure NOI-MM-1, with the exception of receptor location R1. With the implementation of the Mitigation Measure NOI MM-1, the construction-related noise at receptor location R1 would still exceed the significance threshold by ~~3.3~~3.6 dBA.

V. Draft EIR - Appendices

Replace Appendix H, Noise Calculation Worksheets, of the Draft EIR with Revised Draft EIR Appendix H (attached).

3. CONCLUSION

Based on the analysis presented above, the changes to the EIR set forth in this Erratum do not result in any of the conditions set forth in CEQA Guidelines Section 15088.5 requiring recirculation of the Draft EIR. Specifically, the information included in this Erratum does not disclose any new significant impacts or a substantial increase in the severity of an impact already identified in the Draft EIR, nor does it contain significant new information that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible alternative or mitigation measure that the Applicant has declined to adopt. All of the information added in this Erratum merely clarifies, corrects, adds to, or makes insignificant modifications to information in the EIR. The City has reviewed the information in this Erratum and has determined that it does not change any of the basic findings or conclusions of the EIR, does not constitute “significant new information” pursuant to CEQA Guidelines Section 15088.5, and does not require recirculation of the EIR.